

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1 and 11-17 are active in this application. Claim 1 is amended, Claims 11-17 are added, and Claims 2-10 are canceled by the present amendment. The changes to Claim 1 and the addition of Claims 11-17 are supported in the originally filed disclosure at least at the descriptions of Examples A, B, and C. Thus, no new matter is added.

The outstanding Office Action rejects Claims 1-10 under 35 U.S.C. § 102(b) as anticipated by Hikata (JP 07-094193).

In light of the cancellation of Claims 2-10, the rejection of those claims is moot. Applicants respectfully traverse the rejection of Claim 1 and discuss the patentability of new Claims 11-17.

Amended Claim 1 recites an active material for a battery anode including 0.01 to 0.7% by mass of bismuth.

However, Hikata describes, at the Abstract and at the tables at pages 4-6, a manganese dry battery using 0.00003 to 0.008% by weight of bismuth.

Because Hikata does not teach or suggest every element of amended Claim 1, Applicants respectfully request that the rejection of Claim 1 under 35 U.S.C. § 102(b) be withdrawn.

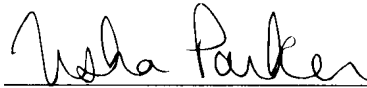
New Claims 11-15 depend from Claim 1 and are, therefore, respectfully submitted as patentable over Hikata for at least the same reasons as Claim 1.

New Claims 16 and 17 also recite active material with 0.01 to 0.7% of bismuth. Thus, Applicants respectfully submit that new Claims 16 and 17 patentably define over Hikata.

Consequently, the pending claims are believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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